

FILED

APR 05 2007

**CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS**

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

ERNESTO CASTILLO LOPEZ, JR.,

Defendant - Appellant.

No. 07-10021

D.C. No. CR-00-00164-DAE
District of Hawaii,
Honolulu

ORDER

RECEIVED
CLERK U.S. DISTRICT COURT

APR 09 2007

DISTRICT OF HAWAII

The motion of Shanlyn A.S. Park, Esq., to withdraw as counsel of record under *Anders v. California*, 386 U.S. 738 (1967), is referred to the panel assigned to hear the merits of this appeal. The panel will conduct an independent review of the record. *See Penson v. Ohio*, 488 U.S. 75, 80-81 (1988). After it conducts its review, the merits panel will determine whether counsel may be allowed to withdraw and whether new counsel will be appointed. *See id.* at 83.

Appellant may file a pro se supplemental opening brief raising any issues by April 30, 2007. On or before May 15, 2007, appellee shall file the answering brief. *See* 9th Cir. R. 31-2.3 (appellee's failure to file the answering brief or notify the court that no brief will be filed may result in the imposition of sanctions). If

appellee files the answering brief, the optional reply brief will be due within 14 days after service of the answering brief.

The clerk of the district court shall forward to this court the clerk's record within 10 days of receipt of this order. *See* 9th Cir. R. 11-4.4.

The Clerk shall serve a copy of this order on appellant individually to Ernesto Castillo Lopez, Jr., No. 87629-022, FDC Honolulu, P.O. Box 30080, Honolulu, Hawaii, 96820, as well as on counsel for appellant.

For the Court

Deborah Teitler

Deborah Teitler

Staff Attorney/Deputy Clerk

9th Cir. R. 27-7

General Order 6.3(a)